



PTO/SB/61 (08-03)
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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES	Docket Number (Optional) <i>13DV-14047/11716(21635-0046)</i>						
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on <u>June 11, 2004</u>.</p> <p><i>Carmen Santa Maria</i> Signature</p> <p>Typed or printed name <u>Carmen Santa Maria</u></p>							
<p>In re Application of <i>Kelly et al.</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Application Number <u>09/944,708</u></td> <td style="width: 50%; padding: 5px;">Filed <u>08/31/2001</u></td> </tr> <tr> <td colspan="2" style="padding: 5px;">For METHOD OF MANUFACTURING A NICKEL-BASE ALLOY WELDING FILLER METAL</td> </tr> <tr> <td style="padding: 5px;">Art Unit <u>3726</u></td> <td style="padding: 5px;">Examiner <u>Jiminez, Marc</u></td> </tr> </table>		Application Number <u>09/944,708</u>	Filed <u>08/31/2001</u>	For METHOD OF MANUFACTURING A NICKEL-BASE ALLOY WELDING FILLER METAL		Art Unit <u>3726</u>	Examiner <u>Jiminez, Marc</u>
Application Number <u>09/944,708</u>	Filed <u>08/31/2001</u>						
For METHOD OF MANUFACTURING A NICKEL-BASE ALLOY WELDING FILLER METAL							
Art Unit <u>3726</u>	Examiner <u>Jiminez, Marc</u>						

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 330.

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____.
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-1059. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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I am the

08/11/2004 applicant/inventor JV1059 09944708
01 FC:1401 assignee of record of the entire interest. See 37 CFR 3.71.
 330.00 DA
 Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
 attorney or agent of record.
 Registration number 33,453
 attorney or agent acting under 37 CFR 1.34(a).
 Registration number if acting under 37 CFR 1.34(a)._____

Carmen Santa Maria
Signature

Carmen Santa Maria

Typed or printed name

717-237-5226

Telephone number

June 11, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

- *Total of 3 forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS OFFICE.

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01 FC:1401 330.00 DR



Application/Patent No.: 09/944,708

MWN Reference No.: 13DV-14047/11716(21635-004)

Assist. Commissioner for Patents:

Please acknowledge receipt of the paper(s) enclosed by stamping the date received and returning this card to the undersigned.

New Patent Application Non-Prov. Prov. Design

CIP Divisional RCE/CPA Other _____

Declaration (Signed/Unsigned) Power of Attorney

Patent Appl'n. Transmittal
(Utility/Provisional/Design)
 Pages Specifications

Pages Drawing(s)
 Application Data Sheet

Fee Transmittal
Filing Fee (\$320)

Appeal Brief Fee (\$320)

Other Fee(s) (\$0)

IDS & PTO/SB/08

References (copies)

Certificate of Express Mail
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Transmittal Form

Response to Office Action

Response to Missing Parts

Affidavit/Statement

Issue Fee Transmittal

Issue Fee (\$0)

Letter to Off. Draftsperson

Assignment

Recordation Letter & Fee

Statement Under 3.73(b)

Appeal Brief (filed in
Oct 14 2003)

Express Mail No.: _____

Date of Mailing: OCTOBER 19, 2003

Submitted by: Carmen Santa Maria
McNees Wallace & Nurick LLC